

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHELLE MAINA, also known as
NICOLE MAIN,

Petitioner,

-against-

RIKERS'S ISLAND RMSC,

Respondent.

25-CV-0451 (LTS)

TRANSFER ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Petitioner, who was detained on Rikers Island when she filed this *pro se* petition for a writ of *habeas corpus* under 28 U.S.C. § 2254, challenges the constitutionality of her detention.¹ Publicly available records indicate that her criminal proceedings are proceeding in Kings County Criminal Court. *People v. Main*, No. FG-3000396-24KN (Kings Cnty. Crim. Ct.). These records also indicate that Petitioner's next appearance is scheduled for April 29, 2025. Because Petitioner's proceedings are pending in Kings County, which is located in the Eastern District of New York, the Court transfers this action to the United States District Court for the Eastern District of New York.

CONCLUSION

The Court directs the Clerk of Court to transfer this action to the United States District Court for the Eastern District of New York. Whether Petitioner may be permitted to proceed further without payment of fees is a determination to be made by the transferee court. This order closes this case.

¹ According to publicly available records maintained by the New York City Department of Correction, Petitioner was released from custody on March 18, 2025.

Because Petitioner has not at this time made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue under 28 U.S.C. § 2253.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: March 21, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge